

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

ADA PERKINS,
Plaintiff

vs

COMMISSIONER OF
SOCIAL SECURITY,
Defendant

Case No. 1:10-cv-233
Beckwith, J.
Litkovitz, M.J.

**REPORT AND
RECOMMENDATION**

This matter is before the Court on plaintiff's motion for attorney fees and costs under the Equal Access to Justice Act (EAJA) (Doc. 16), and the parties' joint motion stipulating to an award of attorney fees and costs under EAJA. (Doc. 17). The Court, having considered the parties' joint motion and being duly advised, hereby recommends that the joint motion for an award of attorney fees and costs under the Equal Access to Justice Act be granted.

IT IS THEREFORE RECOMMENDED THAT:

1. Plaintiff's motion for attorney fees and costs under the Equal Access to Justice Act (EAJA) (Doc. 16) be **DENIED** as moot.
2. The parties' joint motion stipulating to an award of attorney fees and costs under EAJA (Doc. 17) be **GRANTED** and that plaintiff be awarded attorney fees in the amount of \$1,695.75 pursuant to the Equal Access to Justice Act and costs in the amount of \$350.00. This award will satisfy all plaintiff's claims for fees under 28 U.S.C. § 2412 and costs under 28 U.S.C. § 1920 and Fed. R. Civ. P. 54(d)(1).

Date: 9/29/2011


Karen L. Litkovitz
United States Magistrate Judge

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**NOTICE TO THE PARTIES REGARDING THE FILING OF OBJECTIONS TO THIS
REPORT AND RECOMMENDATION**

Pursuant to Fed. R. Civ. P. 72(b), **WITHIN 14 DAYS** after being served with a copy of the recommended disposition, a party may serve and file specific written objections to the proposed findings and recommendations. This period may be extended further by the Court on timely motion for an extension. Such objections shall specify the portions of the Report objected to and shall be accompanied by a memorandum of law in support of the objections. If the Report and Recommendation is based in whole or in part upon matters occurring on the record at an oral hearing, the objecting party shall promptly arrange for the transcription of the record, or such portions of it as all parties may agree upon, or the Magistrate Judge deems sufficient, unless the assigned District Judge otherwise directs. A party may respond to another party's objections **WITHIN 14 DAYS** after being served with a copy thereof. Failure to make objections in accordance with this procedure may forfeit rights on appeal. *See Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).